<u>REMARKS</u>

Claims 1 to 16 were rejected under 35 U.S.C. § 103(a) over U.S. Patent No. 5,956,039 (Woods) in view of U.S. Patent No. 5,808,617 (Kenworthy). The rejections are respectfully traversed and the Examiner is requested to reconsider and withdraw the rejections in light of the following comments.

The invention manages requests of different classes when, for example, downloading multimedia data from a server to a browser. In the invention, at least one request of at least a first class of requests is enabled taking account of multimedia data received from at least a second class of requests, where the requests of the second class are predictable in time. A priority is then dynamically allocated to each of the enabled requests in accordance with characteristics of the enabled requests, and a priority is also dynamically allocated to each of the enabled requests of the second class in accordance with the time remaining until the next request of the second class.

Referring specifically to the claims, Claim 1 is directed to a method of managing requests in at least two distinct classes, relating to multimedia data, exchanged by a communication apparatus and at least one data source connected through a communication network, the method performed at the communication apparatus and comprising the steps of enabling at least one request of at least a first class of requests, the enabling taking account of the multimedia data received from at least a second class of requests, the requests of the second class being predictable in time, dynamically allocating a priority to each of the enabled requests, in accordance with characteristics of the enabled requests, and dynamically allocating a priority to each of the enabled requests of the second class in accordance with the time remaining until the next request of the second class.

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Claim 7 is an apparatus claim that substantially corresponds to Claim 1.

The applied art, alone or in any permissible combination, is not seen to disclose or to suggest the features of Claims 1 and 7, and in particular, is not seen to disclose or to suggest at least the features of dynamically allocating a priority to each of the enabled requests, in accordance with characteristics of the enabled requests, and dynamically allocating a priority to each of the enabled requests of the second class in accordance with the time remaining until the next request of the second class.

Woods merely discloses a way to increase performance by the efficient use of limited resources via incremental fetching, loading and unloading of data assets of 3D worlds based on transient asset priorities. In Woods, a priority scheme is used to determine the fetching, pre-fetching and caching of data assets, where the priorities change over time depending on the position of the camera. However, Woods is not seen to disclose or to suggest the feature of dynamically allocating a priority to each of the enabled requests of the second class in accordance with the time remaining until the next request of the second class, and this much is admitted in the Office Action.

Kenworthy is not seen to make up for the foregoing deficiencies of Woods, despite the assertions made in the Office Action. In this regard, Kenworthy is seen to describe a method an system for reducing pixel processing and storage in a graphics rendering system. The passage cited in the Office Action (col. 24, lines 15 to 67) describes a texture cache control system which comprises i) a virtual cache, associated with the pre-fetch request system, with no actual data, and ii) a physical cache, with actual data. The virtual cache is meant to track and control the contents of the physical cache at a future time, in order to ensure that the data is available when needed. The virtual cache manages

a set of cache keys and entry associations with the physical cache. According to Kenworthy, a request to a cache is a cache key (see col. 24, line 29). If the virtual cache receives a key which is not in its current set of keys then a replacement operation is performed. Next, the data required, associated with the key, is fetched, decompressed and stored in the physical cache at a location dictated via an entry index supplied by the virtual cache (see col. 24, lines 57-61).

Kenworthy teaches (in col. 25, lines 4-7) that "This flow control is accomplished by waiting until the new entry is requested before overwriting the previous entry's contents. Placing new data into the texture cache is thus always deferred until the next request until it is needed." Here, it appears that the Office Action attempts to equate such a system with the claimed feature of "dynamically allocating a priority to each of the enabled requests of the second class in accordance with the time remaining until the next request of the second class." However, while Kenworthy may be seen to teach the notion of waiting for overwriting the previous entry's contents and not sending a request, the notion of waiting in Kenworthy is related to nothing more than the entry itself, but is not related to a next request of the same category. Indeed, the teaching of Kenworthy does not take into account any time period which would remain until a next request to allocate a priority to a current request. Therefore, the teachings of Kenworthy, when combined with Woods, would not have resulted in the present invention.

Therefore, independent Claims 1 and 7, as well as the claims dependent therefrom, are believed to be allowable.

No other matters having been raised, the entire application is believed to be in condition for allowance and such action is respectfully requested at the Examiner's earliest convenience.

Applicant's undersigned attorney may be reached in our Costa Mesa, California office at (714) 540-8700. All correspondence should continue to be directed to our below-listed address.

Respectfully submitted,

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